

0039550

OR 2015 PG 0733

RECORDED IN THE PUBLIC
RECORD OF LEON COUNTY

MAY 20 9 09 AM '97

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT, IN
AND FOR LEON COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO 94-04

IN RE DAVE LANG
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

WHEREAS, the First District Court of Appeal decided in Harrell v. McMillan, 614 So 2d 1185 (Fla 1st DCA 1993), that trial judges do not have the authority to require a criminal defendant to post a cash bond, and

WHEREAS, the decision of the First District Court of Appeal applies to bail bonds set for probation violators as well as pretrial detainees, and,

WHEREAS, there may be many unserved warrants that were issued before this rule was announced by the court,

It is therefore ORDERED

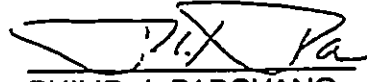
(1) The sheriffs of each county within the Second Judicial Circuit are directed to treat a cash bond as a surety bond and to allow the defendant to decide whether to post the bond in cash or through a bail bondsman

(2) This order applies to all bonds set in criminal cases including bonds that are set for pretrial detainees and bonds that are set in probation violation cases. It does not apply to bonds or writs of attachment set in child support cases or to any other bonds set in civil cases.

(3) This order shall not be construed as a limitation on a trial judge's right to authorize other lawful methods of posting bail or as a limitation on the trial judge's right to impose other conditions or release

Administrative Order No 94-04

DONE AND ORDERED in Chambers, Tallahassee, Leon County, Florida, this 16
day of February, 1994.


PHILIP J PADOVANO
Circuit Judge

cc.

All Sheriffs
All Judges
Pretrial Release
Public Defender
State Attorney

